

1914

c 181 Timber Slide Companies Act

Ontario

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CHAPTER 181.

An Act respecting Joint Stock Companies for the Construction of Works to Facilitate the Transmission of Timber down Rivers and Streams.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Timber Slide Companies Act*. 3-4 Geo. V. c. 34, s. 1. Short title.

2. In this Act,—

Interpretation.

“Minister” shall mean the Minister of Lands, Forests and Mines. 3-4 Geo. V. c. 34, s. 2. “Minister.”

3. The Lieutenant-Governor in Council may confer the powers authorized by this Act upon any company heretofore or hereafter incorporated, under *The Ontario Companies Act* or any Act for which the same was substituted, for the purpose of acquiring or constructing and maintaining any dam, slide, pier, boom or other work necessary to facilitate the transmission of timber down any river or stream in Ontario, or for the purpose of blasting rocks, or dredging or removing shoals or other impediments, or of otherwise improving the navigation of the river or stream for such purpose, and every such company shall thereupon become subject to all the provisions of this Act. 3-4 Geo. V. c. 34, s. 3. Powers to be granted to companies. Rev. Stat. c. 178.

4. The letters patent incorporating a company for any of the purposes mentioned in section 3 shall not be issued until the proof has been furnished that When letters patent may be issued.

(a) the proposed capital is sufficient to carry out the objects for which the company is to be incorporated, that such capital has been subscribed or underwritten and that the applicants are likely to command public trust and confidence in the undertaking; and

(b) notice of the application for the letters patent has been served upon all timber licensees and other persons known to be interested in the works proposed to be constructed. 3-4 Geo. V. c. 34, s. 4.

Material
to be
transmitted
by appli-
cants.

5.—(1) The applicants for the letters patent shall, with their application, transmit to the Provincial Secretary the report provided for by section 6, and copies of the by-laws proposed to be passed for regulating the transmission of timber over or through the works of the company and the navigation therewith connected; and when the Provincial Secretary, or other officer charged with the duty of reporting on the application, certifies that the other requirements preliminary to the issue of the letters patent have been complied with, such report shall be transmitted to the Minister.

Approval of
Minister
necessary.

(2) The letters patent shall not be issued until the Minister has certified to the Provincial Secretary that, in his opinion, it is proper that they should be issued. 3-4 Geo. V. c. 34, s. 5.

Contents of
report.

6. The report shall contain

- (a) a detailed description of the works proposed to be undertaken and an estimate of their cost;
- (b) an estimate from the best available sources of the quantity of different kinds of timber expected to come down the river or stream yearly after the works have been completed; and
- (c) a schedule of the tolls proposed to be imposed. 3-4 Geo. V. c. 34, s. 6.

Publication
of schedule
of tolls.

7. The schedule of tolls shall be published once a week for four successive weeks in a newspaper published in the county or district in which, or nearest to which, the works are to be situate. 3-4 Geo. V. c. 34, s. 7.

Report of
Minister
approving.

8. Thirty days after the first publication the Minister shall consider the report, and, if he approves of the issue of the letters patent, he shall so report to the Lieutenant-Governor in Council who may thereupon direct the issue of the letters patent. 3-4 Geo. V. c. 34, s. 8.

Rate of
dividend.

9. The Lieutenant-Governor in Council may, in the letters patent, state a rate of dividend, not exceeding 12 per centum per annum, which the company shall be at liberty to pay to the shareholders, if the revenues of the company otherwise justify such payment, and in such case the Minister shall, in considering the tolls to be allowed, have regard to such rate. 3-4 Geo. V. c. 34, s. 9.

Limitation
of com-
pany's ex-
istence.

10. The existence of the company may be limited to a term of years, not exceeding twenty-one, to be fixed by the letters patent. 3-4 Geo. V. c. 34, s. 10.

11. The company may make by-laws for regulating the transmission of timber over or through the works of the company and the navigation therewith connected. 3-4 Geo. V. c. 34, s. 11.

By-laws to regulate transmission of timber.

12. The proposed by-laws, with such variations as are made therein by the Minister before the issue of the letters patent, shall, upon the issue of the letters patent, become the by-laws of the company without further action or adoption by the company, and copies of all new by-laws and of all amending by-laws, with reference to the subjects dealt with by the proposed by-law, shall be annexed to the annual reports required by section 20. 3-4 Geo. V. c. 34, s. 12.

Copies of proposed by-laws to be annexed to reports of company.

13. No new by-law, or amending by-law, shall have any force until one month after it has been included in the report; but if at the end of one month the by-law has not been disallowed, as it may be by the Minister, it shall have full force and be binding upon the company using the works. 3-4 Geo. V. c. 34, s. 13.

When by-law to come in force.

14. No such by-law shall impose any penalty for a contravention thereof. 3-4 Geo. V. c. 34, s. 14.

Restrictions as to by-laws.

15. No company shall construct its works over or upon or otherwise interfere with or injure any private property, or the property of His Majesty, without first having obtained the consent of the owner or occupier thereof, or of his Majesty, except as is in this Act provided. 3-4 Geo. V. c. 34, s. 15.

Interference with property of others.

16. The Minister shall not report in favour of the issue of the letters patent incorporating a company to improve any river or stream for the improvement of which any other company has been formed, either under this Act or any other Act of this Legislature, without the consent of such other company. 3-4 Geo. V. c. 34, s. 16.

When consent to formation of company required.

17. Upon the expiration of the period limited for the existence of the company all the dams, slides, piers, booms and other works constructed by the company for the transmission of timber down any river or stream, or for the improvement of the navigation of such river or stream, shall become the property of His Majesty for the public uses of Ontario, and the company, or the shareholders thereof, shall have no right to compensation therefor. 3-4 Geo. V. c. 34, s. 17.

Property vesting in the Crown on expiration of company's existence.

18. Notwithstanding the expiration of the period limited for the existence of the company it shall continue to exist for the purpose of taking such proceedings as may be requisite for winding up and settling its affairs, and for getting in its assets, and distributing the same amongst its shareholders; and the company may, for those purposes, sue and

Company's existence to continue for the purpose of winding up.

be sued as if the period of its corporate existence had not expired; but after such period the words "in liquidation" shall be added to the name of the company and shall be a part of such name. 3-4 Geo. V. c. 34, s. 18.

Distribution
of capital
and profits.

19. No distribution of capital shall be made under the next preceding section until three years after the expiration of the period limited for the existence of the company, but this shall not prevent the distribution amongst the shareholders of the annual profits received from investments, and after such three years section 95 of *The Ontario Companies Act* shall not apply. 3-4 Geo. V. c. 34, s. 19.

Rev. Stat.
c. 178.

Yearly report
to the
Minister.

20.—(1) The directors of the company incorporated shall annually, in the month of January, make to the Minister a report, verified by the oath of the treasurer of the company, specifying—

Contents.

Cost of
work.

(a) the cost of the works;

Money
expended.

(b) the amount of all money expended;

Capital
stock.

(c) the amount of the capital stock, and the amount paid in;

Tolls ex-
pended on
work.

(d) the whole amount of tolls expended on the works;

Tolls re-
ceived.

(e) the amount received during the year from tolls and all other sources, stating each separately, and distinguishing the tolls on different kinds of timber;

Dividends
paid.

(f) the amount of dividends paid;

Expendi-
ture for
repairs.

(g) the amount expended for repairs;

Indebted-
ness of
company.

(h) the amount of the debts due by the company, stating the objects for which they were respectively incurred;

Detailed
description
of exten-
sions or im-
provements.

(i) a detailed description of any extension or improvement of the works or of any new works proposed to be undertaken in the following year, together with an estimate of the cost thereof; and

Detailed
description
of repairs
or re-
movals.

(j) a detailed description of any repairs or renewals that may require to be made after the 31st day of December in the year to which the report relates and before the time of fixing the tolls, together with an estimate of the cost thereof.

When esti-
mated cost
of renewals
and repairs
to be ad-
vertised.

(2) If the repairs and renewals mentioned in clause (j) of subsection 1 are actually made before the settling of the tolls the cost thereof may be taken into consideration in fixing such tolls, and such estimated cost shall be advertised along with the schedule of tolls as provided in section 7. 3-4 Geo. V. c. 34, s. 20.

21. The company shall keep proper books of account containing full and true statements of the Books of account.

- (a) financial transactions of the company;
- (b) assets of the company;
- (c) sums received and expended by the company and the matters in respect of which the receipt or expenditure took place; and
- (d) credits and liabilities of the company;

and such books shall be at all times open to the inspection and examination of any shareholder. 3-4 Geo. V. c. 34, s. 21.

22. The Minister may appoint a person to inspect and examine such books, and every person so appointed may take copies or extracts from them, and may require from the keeper of such books, and also from the president and each of the directors of the company and all the other officers and servants thereof, all such information as to such books and the affairs of the company generally as the person so appointed deems necessary for the full and satisfactory investigation into and report upon the state of the affairs of the company so as to enable him to ascertain whether the tolls are greater than are permitted by this Act to be imposed. 3-4 Geo. V. c. 34, s. 22. Inspection of books.

23. The company shall have the right to expropriate any land, right or easement requisite for the purpose of its undertaking, and except as herein otherwise expressly provided the provisions of *The Ontario Railway Act* as to making compensation to all persons interested and as to the mode of ascertaining the amount of compensation and the payment of it shall apply *mutatis mutandis*. 3-4 Geo. V. c. 34, s. 23. Rights of expropriation. Rev. Stat. c. 185. Ascertaining compensation.

24. In ascertaining the amount of the compensation due regard shall be had to the benefits which will accrue to the person claiming compensation from the construction of the intended works. 3-4 Geo. V. c. 34, s. 24. What to be considered.

25.—(1) If there is already established by any person, other than a company formed under this Act or any other Act of this Legislature, any slide, pier, boom, or other work intended to facilitate the passage of timber down any water, for the improvement of which a company is formed under this Act, such company may take possession of the works; and the owners thereof, or, if the works have been constructed on the property of His Majesty, the persons at whose cost they have been constructed, shall be entitled to compensation for the value of the works, either in money or in stock of the company, at the option of the owner or the person at whose cost the works were constructed, and may become shareholders in the company for an amount equal If timber slides, etc., erected by others be assumed by the company, how compensation to be made.

Rev. Stat.
c. 185.

to the value of the works, such value to be ascertained by arbitration as provided by *The Ontario Railway Act*; and all the provisions of that Act shall apply in the same manner and to the same extent as to lands expropriated by the company.

Formalities
to be ob-
served by
company
acquiring
existing
works.

(2) Where the company purchases or takes possession of the works, and does not make or construct any other works than those so acquired, the company shall furnish the Minister with the report mentioned in section 6. 3-4 Geo. V. c. 34, s. 25.

Mill sites,
etc., not to
be taken
without the
consent of
the owner.

26.—(1) Nothing herein shall authorize a company formed under this Act to take possession of or injure any mill site upon which there are existing mills or machinery, or hydraulic works other than those intended to facilitate the passage of timber; and no company formed under this Act shall commence any work which interferes with or endangers such occupied mill site without the consent in writing of the owner, or unless it is determined by arbitration that the proposed works will not injure such mill site.

Registering
consent
or award.

(2) The consent or award shall be registered in the same manner as the instrument of incorporation of the company. 3-4 Geo. V. c. 34, s. 26.

When no
compensa-
tion in respect
of land pur-
chased after
incorpora-
tion.

27. Where land which was sold after the construction of the works of the company is overflowed or injured by such works, and the purchaser obtained a reduction in the price of the land, or was otherwise indemnified for the overflow or injury, or where the land was located as a free grant after the construction of the works, the owner shall not be entitled to compensation from the company for the overflowing or injury by such works. 3-4 Geo. V. c. 34, s. 27.

Restrictions
upon the
company.

28. Nothing herein shall authorize the company to obstruct any waters already navigable or to collect tolls other than those upon timber. 3-4 Geo. V. c. 34, s. 28.

Rights of
parties as
to water
powers
created by
the company.

29. If, by reason of a dam erected by the company, any water power is created the company shall not have any title or claim to the use of such water power; but, if the owner or occupier of the adjoining land claims compensation for damages arising from such dam, the arbitrators may take into account the increased value of his land by reason of the water power so created. 3-4 Geo. V. c. 34, s. 29.

Principle on
which tolls
to be cal-
culated.

30.—(1) The tolls for the first year shall be calculated upon the estimates hereinbefore required to be made of the cost of the works, and the quantity of different kinds of timber expected to pass down the stream, and the tolls in all future years shall be calculated upon the cost of the works and the quantity of different kinds of timber expected to pass

down the stream, and the receipts and expenditure, according to the accounts of the then next preceding year, as rendered in accordance with the provisions of section 20 and the following sections.

(2) The tolls shall be so calculated that, after defraying the necessary cost of maintaining and superintending the works and running, driving, booming, towing, sorting, and rafting logs and other timber, and providing an equal annual sinking fund, which, invested at six per centum, will be sufficient to pay back to the shareholders the amount of their paid-up stock at the end of the time limited for the existence of the company, and collecting the tolls, the balance of the receipts shall as nearly as possible be equal to and in no case exceed \$10 for every \$100 expended and invested in the works.

(3) If in any year the receipts from tolls are such that, after defraying all the current expenses, there remains a clear profit of more than \$10 upon every \$100 of the capital expended there shall, nevertheless, be divided amongst the shareholders no greater dividend than after the rate of \$10 for every \$100, and the remainder shall be carried over to the receipts of the following year, unless a higher rate is authorized by the letters patent or by the Lieutenant-Governor in Council; and unless the Minister is of opinion that injustice will be done to any of the persons interested, such surplus may, in case of a deficiency, be applied in whole or in part upon any deficiency in the year preceding that in which the surplus accrued. 3-4 Geo. V. c. 34, s. 30.

31. The Minister may refer the taking of the accounts, or the consideration of any matter or thing that he may deem necessary in order to the proper adjustment of the tolls, to an accountant or expert or any other person of skill, and such accountant, expert or other person shall have all the powers conferred upon a person appointed to examine the books under section 22. 3-4 Geo. V. c. 34, s. 31.

32. The tolls to be collected upon different kinds of timber shall bear to each other the following proportions:

Red and white pine, tamarac, spruce and hemlock, etc. square and waney board, per thousand cubic feet	06
Oak, elm, or other hardwood, square or flatted, or waney board	09
Saw-logs, 17 feet and under, per thousand feet, board measure	01
Red and white pine, tamarac, spruce, and hemlock, round or flatted over 17 feet and under 30 feet long	01¼
Red and white pine, tamarac, spruce, and hemlock, round or flatted, 30 feet and upwards in length	01½

Sawed lumber	03
Staves, per 1,000 feet.....	15
Cords of wood, shingle bolts, and other lumber, per cord of 128 feet	1-3
Spars, per piece	03
Masts, per piece	05
Railway ties other than cedar, in 8 or 16 foot lengths, per length of 8 feet	1-18
Cedar, round or flatted, 8 feet long or under, per piece,	1-24
Cedar, round or flatted, over 8 feet and under 17 feet long	1-12
Cedar, round or flatted, over 17 feet and under 23 feet long	00 $\frac{1}{8}$
Cedar, round or flatted, over 25 feet and under 35 feet long	1-5
Cedar, round or flatted, 35 feet and upwards	1-3
3-4 Geo. V. c. 34, s. 32.	

Reporting
schedule of
proposed
tolls.

33.—(1) The annual account required to be rendered by a company shall contain a schedule of the tolls so calculated which it is proposed to collect in the following year, and the schedule shall be published in the manner provided by section 7 prior to the 1st day of March, and if it has not been notified to the company, on or before the 15th day of April following, that the schedule has been disallowed by the Minister the tolls so published shall be the lawful tolls for that year.

When
Minister
may vary
same.

(2) If it appears to the Minister that the proposed tolls have not been calculated in accordance with the provisions of this Act the Minister may alter or vary the schedule so as to make the tolls accord with such provisions.

Publication
of amended
schedule.

(3) The amended schedule of tolls shall be notified to the company, and shall be published immediately thereafter for two weeks in a newspaper published in the county or district in which or nearest to which the works are situate, and shall be the lawful tolls for that year.

Where no
change.

(4) Should no change be made by the Minister a notice of that fact shall be published for two weeks in such newspaper. 3-4 Geo. V. c. 34, s. 33.

Demanding
of owner
statement
of quantity
of timber
liable to toll.

34.—(1) The company may demand from the owner of any timber intended to be passed over or through any portion of its works, or from the person in charge of the same, a written statement of the quantity of every kind of timber and of its destination, and of the sections of the works over or through which it is intended to pass, and if no written statement is given when required, or if a false statement is given, the whole of the timber, or such part of it as has been omitted by a false statement, shall be liable to double toll.

Penalty for
refusal or
false
statement.

(2) If any owner or person in charge knowingly or wilfully returns a larger quantity than it is his intention or the intention of such owner or person in charge to pass over or through any of the sections the company shall be entitled, in addition to any other remedy it may have, to collect tolls on the difference between the quantity so falsely estimated and the quantity actually passing over or through the works. 3-4 Geo. V. c. 34, s. 34.

When false estimate is given as to quantity liable to toll, Extra tolls may be collected.

35. The company may demand and receive the lawful toll upon all timber which has come through or over any of its works; and the company and its servants shall have free access to all such timber for the purpose of measuring or counting it. 3-4 Geo. V. c. 34, s. 35.

On what timber toll taken. Right of company to examine.

36. If the just tolls are not paid on demand they shall be recoverable by action. 3-4 Geo. V. c. 34, s. 36.

May sue for tolls.

37. If timber has come through or over part only of the works of the company the owner of the timber shall be liable to pay tolls only for such sections of the whole works as he has made use of if, in the schedule of tolls, the works are divided into sections, and if not to pay such a portion of the whole tolls as the distance the timber has come through or over the works bears to the whole distance for which the works extend. 3-4 Geo. V. c. 34, s. 37.

Toll to be apportioned to the extent of the works used.

38.—(1) If the true owner of any timber which has passed through or over any of the works of the company cannot be ascertained, or if there are reasonable grounds to apprehend that the tolls thereon have not been paid by the owner or reputed owner or person in charge, any mayor, reeve or justice of the peace having jurisdiction in the locality through or adjoining which such navigation extends, or where the timber may be found, if within twenty miles of any such works, shall, upon the oath of any director or servant of the company that the just tolls have not been paid, issue a warrant for the seizure of such timber or so much of it as will be sufficient to satisfy the tolls.

Remedy by seizure of timber for non-payment of tolls. Limit of distance.

(2) The warrant shall be directed to any constable or any person sworn as a special constable for that purpose, at the discretion of the magistrate, and shall authorize the person to whom it is directed, if the tolls are not paid within fourteen days from the date of the warrant, to sell the said timber, and out of the proceeds to pay to the company the just tolls, together with the costs of the warrant and sale, rendering the surplus on demand to the owner.

Execution of warrant.

(3) Where the works, through or over which any timber is passed, are in whole or in part constructed upon or along any river or stream tributary to any river or stream which flows into the Georgian Bay, Lake Huron, or Lake Superior, or

No limit in certain streams.

upon or along any of such last named rivers or streams, the right of seizure shall continue while the timber remains in any of such last named rivers or streams, whether or not the timber is within the twenty miles.

Idem.

(4) Where such works are constructed upon or along any river or stream in Ontario tributary to the Ottawa River the right of seizure shall continue while the timber remains in such tributary, river or stream, whether within the twenty miles or not.

Time
for seizure.

(5) Subsections 3 and 4 shall not extend the time for such seizure beyond thirty days. 3-4 Geo. V. c. 34.

OFFENCES AND PENALTIES.

Impeding
the opera-
tions of the
company.

39. Any person who resists or impedes the company or any of its servants in the transmission of any timber through or over any such works, or in carrying out any regulations of the company for the greater safety and regularity of such transmission, or resists the company or its servants who may require access to any raft or other timber to ascertain the just tolls thereon, or in any way molests the company or its servants in the exercise of any rights conferred upon them by this Act, shall incur a penalty of not less than \$1 or more than \$10. 3-4 Geo. V. c. 34, s. 39.

Service of
summons.

40. In any prosecution under this Act the summons may be served either personally or by leaving a copy of it at the usual place of abode of the party named in it or with any adult person belonging to the raft to which such party is attached. 3-4 Geo. V. c. 34, s. 40.

Fines, etc.,
to be paid to
the treasurer
of the
company.

41. The penalties when collected shall be paid to the treasurer of the company owning the works in respect of which they were imposed for the use of the company. 3-4 Geo. V. c. 34, s. 41.

Limitation
of actions.

42. An action against any person for any matter or thing done in pursuance of this Act shall be brought within six months next after the fact committed and not afterwards. 3-4 Geo. V. c. 34, s. 42.

MISCELLANEOUS.

Powers of
Minister
evidence.

43. The Minister may administer oaths and take evidence upon oath as to all such matters and things as come before him under this Act, and may by writing authorize any person, to whom any matter or thing under this Act shall be referred, to administer oaths and take evidence upon oath for the purposes of this Act. 3-4 Geo. V. c. 34, s. 43.

44.—(1) The company shall, within two years from its incorporation, complete every work undertaken by it and mentioned in the report required prior to its incorporation, and for the completion of which the company is incorporated; in default of which the company shall be liable to forfeit the right to all the corporate and other powers and authority which it has acquired; and the Attorney-General may cause proceedings to be taken in the name of His Majesty to set aside the charter by serving notice upon the company, and the Lieutenant-Governor in Council may, after an opportunity to be heard has been given to the company, declare that its corporate powers shall cease and determine at a date to be named in the Order in Council.

Time for
completion
of works.

(2) From and after such date all the corporate powers of the company shall cease and determine unless, prior to the taking of proceedings by the Attorney-General, further time is granted by the Minister, or the completion of the works appears to be unnecessary and is dispensed with by him.

Cesser of
corporate
powers.

(3) If the company abandons for one year any works completed by it so that the same are not in sufficient repair and cannot be used for the purpose for which they were undertaken the corporate powers of the company shall cease and determine, unless the maintenance of the work or the part of it so abandoned becomes unnecessary owing to the clearance or removal of the timber from the immediate neighbourhood thereof, or unless the abandonment of the same is permitted by the Minister. 3-4 Geo. V. c. 34, s. 44.

Default in
completing
works.

Abandon-
ment.

45.—(1) After any works constructed by a company have been completed and tolls established the company shall keep them in good and sufficient repair; and if such works have not been constructed according to the description given thereof in the report required by section 6, or have become insufficient or out of repair, any person interested in the navigation may serve upon any servant of the company a notice of such insufficiency, and if, within a reasonable time after the service of such notice, the necessary repairs have not been completed the company shall be liable for the damage which any person may sustain from the continuance of such insufficiency.

Works to be
kept in good
repair.

(2) No company shall be liable for any damage incurred after the time limited for the existence of the company has expired, or so long as the works are in accordance with the description or specification thereof in the letters patent, supplementary letters patent or other instrument of incorporation required to be registered, nor for any damage arising from the accidental destruction or injury of the works, but only for the damage which may arise from the wilful neglect of the company after notice served upon one of its servants, as hereinbefore provided. 3-4 Geo. V. c. 34, s. 45.

Limitation
of liability
for dam-
ages.

Inspection
of works
under order
of judge.

46.—(1) A judge of the County or District Court of the county or district in which any part of the works of the company complained of is situate, on the complaint of any person interested in the driving or transmission of timber or logs down any river or stream, through or over the works of the company upon which tolls are collected, that the works are clearly inadequate by reason of being out of repair, shall appoint an inspector to examine the works and to report on the state of repair thereof.

Direction
of Judge
for repairs
by com-
pany.

(2) The judge shall, after report of the inspector, order and direct what repairs are necessary and shall be made by the company, and the time by which the same shall be made and completed.

On default
of company,
person in-
terested
may make
same and
have lien.

(3) If the company does not comply with such order the person so interested may make the repairs, and the cost thereof, or such portion of them as the judge determines, shall be paid by the county and be a lien and charge in favour of such person on the works and tolls of the company.

Limit.

(4) No order shall be made in any one year for repairs which will cost more than \$100 upon any one work or improvement.

Deposit to
cover fees.

(5) The judge may require the applicant to deposit with the clerk of the court such sum as will, in the opinion of such judge, be sufficient to pay the fees and expenses of the inspector, to be allowed by such judge at a rate not exceeding \$5 per day and actual travelling expenses, and such sum, when the works are found to be clearly inadequate by reason of being out of repair, may, in the discretion of the judge, be made a lien or charge in favour of the person paying the same on the works and tolls of the company.

Bond to
cover costs.

(6) The applicant shall, before the application comes on to be heard, file with the judge a bond signed by himself in the penal sum of \$100 and by two sufficient sureties, who shall duly qualify, each in the sum of \$50, conditioned to pay to the company such costs connected with the application and subsequent proceedings as the company may become entitled to.

Notice.

(7) Four days' notice of the application shall be sufficient, and the notice may be served upon the president, secretary or superintendent, manager or acting manager, of the company and shall be sufficient.

Costs in
discretion
of Judge,
etc.

(8) The costs incidental to the application shall be upon the County Court or Division Court scale as the judge may direct.

Inspector,
definition
of.

(9) "Inspector" shall mean any person appointed by the Lieutenant-Governor in Council to act as inspector of the works of timber slide companies. 3-4 Geo. V. c. 34, s. 46.

47. Any two companies formed for the construction of works on contiguous streams may unite and form one consolidated company on such terms as to them seem meet; and the name of the company to be then assumed shall thenceforth be its corporate name, and letters patent may, subject to the approval of the Minister, be issued to it, and when issued the consolidated company may exercise and shall enjoy all the rights and shall be subject to all the liabilities of other companies formed under this Act, and which the separate companies had and enjoyed or were subject or liable to before their union. 3-4 Geo. V. c. 34, s. 47.

When companies may be united.

48. Whenever the Lieutenant-Governor in Council deems it expedient for the public service he may declare any company formed under this Act to be dissolved, and may declare all the works of such company to be public works upon payment to such company of the then actual value of the works to be determined in accordance with the provisions of *The Ontario Public Works Act*. 3-4 Geo. V. c. 34, s. 48.

When the Lieutenant-Governor in Council may declare a company dissolved.

Rev. Stat. c. 35.

49. Where a company incorporated under chapter 153 of the Revised Statutes of 1877, or under chapter 68 of the Consolidated Statutes of Canada, applies for the issue of letters patent under *The Ontario Companies Act* letters patent may, subject to the approval of the Minister, be issued conferring upon the company any of the powers authorized by this Act, and by such letters patent the term of existence of the said company may be limited and the company shall be subject to the provisions of this Act. 3-4 Geo. V. c. 34, s. 49.

Letters Patent may limit term of existence of certain companies.

Rev. Stat. c. 178.

50.—(1) The term of existence of any company incorporated for a limited period may be extended for such a number of years as the Lieutenant-Governor in Council may, previous to the expiry of such period, direct.

Extension of existence of company by supplementary letters patent.

(2) Where any extension or improvement of the works or any new works proposed to be undertaken, are approved by the Minister supplementary letters patent may be issued authorizing the construction of such extension or improvement or such new works as the case may be. 3-4 Geo. V. c. 34, s. 50.

Issue of supplementary letters patent for extensions or improvements.

51. Sections 30, 45 and 48 shall not apply to a company incorporated before the 5th day of March, 1881, unless and until such company has become re-incorporated under section 72 of *The Ontario Joint Stock Companies' Letters Patent Act*, or under *The Ontario Companies Act*; but in lieu of those sections, sections 57, 73 and 75 of chapter 153 of the Revised Statutes of 1877, shall apply to a company so incorporated and not re-incorporated, and sections 3, 8 to 10, 12 to 26 and 29 to 40 of that chapter 153 shall also continue to apply to every such company. 3-4 Geo. V. c. 34, s. 51.

Companies incorporated before March 5, 1881. Rev. Stat. 1887, c. 157, s. 72. Rev. Stat. c. 178.